

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6828

BILL NUMBER: SB 347

NOTE PREPARED: Jan 4, 2012

BILL AMENDED:

SUBJECT: Marijuana offenses.

FIRST AUTHOR: Sen. Tallian

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: Provides that operating a vehicle with an inactive metabolite of marijuana, hashish, or hash oil in one's body does not violate the impaired driving laws. Makes possession of less than three ounces of marijuana a Class C infraction. Makes possession of more than three ounces of marijuana a Class B misdemeanor, and makes the offense a Class A misdemeanor if the person has two or more prior convictions involving marijuana in the past five years. Requires a court to suspend a sentence imposed for possession of marijuana if the person does not have a previous conviction involving marijuana in the past five years, and requires a court to defer a sentence if the person pleads guilty to misdemeanor possession of marijuana. Makes the sale or delivery of more than three ounces of marijuana a Class A misdemeanor, and makes the offense a Class D or Class C felony under certain circumstances. Provides a defense if a person who delivers under ten pounds of marijuana does so for no consideration. Makes the public use or display of marijuana a Class B misdemeanor, and makes the offense a Class A misdemeanor if the person has two or more prior convictions for an offense involving marijuana in the past five years. Reduces the penalty for maintaining a common nuisance to a Class A misdemeanor if the only unlawful controlled substances involved were marijuana, hashish, or hash oil. Repeals the controlled substance excise tax. Makes conforming amendments.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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